

IN RE: PETITION FOR SPECIAL HEARING
SW/S Seaford Avenue, 55' E of the c/l
James Street
(37 Seaford Avenue)
15th Election District
5th Councilmanic District

Teresa Waldron, Owner; Cardinal
William H. Keeler, Roman Catholic
Archbishop of Baltimore – Contr. Pur.

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-249-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Teresa Waldron, and the Contract Purchaser, Cardinal William H. Keeler, Roman Catholic Archbishop of Baltimore, a corporation sole, through their attorneys, Thomas N. Biddison, Jr., Esquire, and Patrick T. Welsh, II, Esquire. The Petitioners request approval that the use of the subject property as a convent by five (5) nuns of Our Lady of Mt. Carmel, although unrelated, constitutes their use as a "family", rather than as a "boarding or rooming house". In the alternative, the Petitioners request approval of the use of the subject dwelling to house these five (5) nuns as a "church, other buildings for religious worship, or other religious institutions," pursuant to Section 1B01.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), which permits such use as of right in the D.R. zone. In addition, the Petitioners seek affirmation that the use of the property as a convent does not change the current use of the property, and as such, current area requirements are not applicable. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Father Robert Hartnett, Pastor at Our Lady of Mt. Carmel Church, Thomas N. Biddison, Jr., Esquire, and Patrick T. Welsh, II, Esquire, attorneys for the Petitioners, and Ed Haile, Professional Engineer who prepared the site plan for this property. There were no Protestants or other interested persons present.

ORDER RECEIVED FOR FILING
Date 1/20/99
By [Signature]

Testimony and evidence offered revealed that the subject property consists of 0.12 acres, more or less, zoned D.R.5.5 and is improved with a two-story frame dwelling and accessory shed. The property is located off of Eastern Avenue in Essex, with frontage on Seaford Avenue, and abuts the side property line of the Our Lady of Mt. Carmel Church property to the rear. The Petitioners are desirous of using the property to house five (5) nuns of Our Lady of Mt. Carmel Church, who previously resided in the convent located on the Church property. The dwelling on the property was previously used as an assisted living facility, and as a result, can easily provide accommodations for the five nuns. However, in order to proceed as proposed, the relief requested is necessary.

The Petitioners have requested approval that the use of the subject property by the nuns constitutes its use as a "family" or, in the alternative, that the use of the property as proposed falls under the category of churches, other buildings for religious worship, or other religious institutions, which are permitted as of right in the D.R. zone, pursuant to Section 1B01.1 of the B.C.Z.R. In addition, the Petitioners request affirmation that the use of the property as proposed does not change the property's status, and as such, current area requirements are not applicable.


After due consideration of the testimony and evidence presented, I am persuaded to grant the alternative relief requested in the Petition for Special Hearing. I find that the proposed use of the subject property and the single family dwelling thereon falls within the category of a church, other buildings for religious worship, or other religious institutions, and as such, is permitted as of right in the D.R. zone. As noted above, the property is located adjacent to the campus of Our Lady of Mt. Carmel Church and once settlement on the property takes place, will be incorporated into and made a part of the overall Church property. Furthermore, inasmuch as the subject property was previously used as an assisted living facility that housed unrelated adult individuals, I find that the use proposed by the Church is essentially the same as the current use, and as such, current area requirements are not applicable. The relief requested will not be detrimental to the health, safety or general welfare of the surrounding locale and meets the spirit and intent of the zoning regulations.

Pursuant to the advertisement, posting of the property and public hearing held thereon, and for the reasons set forth above, the requested alternative special hearing relief shall be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of January, 1999 that the alternative relief requested in the Petition for Special Hearing to approve that the use of the subject property to house five (5) nuns falls under the category of a church, other buildings for religious worship, or other religious institutions, pursuant to Section 1B01.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), and as such, is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing requesting approval that the use of the subject property as a convent by five (5) nuns of Our Lady of Mt. Carmel, although unrelated, constitutes its use as a "family", rather than as a "boarding or rooming house", be and is hereby DISMISSED AS MOOT; and,

IT IS FURTHER ORDERED that the use of the subject property as a convent does not change the current use of the property, in accordance with Petitioner's Exhibit 1, and as such, current area requirements are not applicable.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 1/22/99
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

January 22, 1999

Thomas N. Biddison, Jr., Esquire
Patrick T. Welsh, II, Esquire
Gallagher, Evelius & Jones, LLP
218 N. Charles Street, Suite 400
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL HEARING
SW/S Seaford Avenue, 55' E of the c/l of James Street
(37 Seaford Avenue)
15th Election District – 5th Councilmanic District
Teresa Waldron, Owner; Cardinal William H. Keeler, Roman Catholic Archbishop of
Baltimore, Contract Purchaser – Petitioners
Case No. 99-249-SPH

Dear Messrs. Biddison & Welsh:

Enclosed please find a copy of the decision rendered in the above-captioned matter.
The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file
an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For
further information on filing an appeal, please contact the Zoning Administration and
Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Teresa Waldron, P.O. Box 829, Cascade, Md. 21719
Father Robert J. Hartnett, c/o Our Lady of Mt. Carmel Church
1704 Old Eastern Avenue, Baltimore, Md. 21221
Mr. Ed Haile, Daft-McCune-Walker, Inc.
200 E. Pennsylvania Avenue, Towson, Md. 21286
People's Counsel; Case File





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 37 Seaford Avenue, Baltimore, MD 21221

which is presently zoned D.R. 5.5

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

See Attachment "A".

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Leasee:
Cardinal William H. Keeler, Roman
Catholic Archbishop of Baltimore,
a corporation sole
(Type or Print Name)

[Signature]
Signature

320 Cathedral Street
Address

Baltimore MD 21201
City State Zipcode

Attorney for Petitioner.

Thomas N. Biddison, Jr., and
Patrick T. Welsh, II
(Type or Print Name)

[Signature]
Signature

Gallagher, Evelius & Jones, LLP
218 N. Charles St., Suite 400
Address Phone No.

Baltimore MD 21201
City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Ms. Teresa Waldron
(Type or Print Name)

[Signature]
Signature

MS. TERESA WALDRON
(Type or Print Name)

Signature

P. O. Box 829 301-241-3634
Address Phone No.

Cascade MD 21719
City State Zipcode
Name, Address and phone number of representative to be contacted.

Name

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: SPA DATE 12-16-98

99-249.SPA.

ORDER RECEIVED FOR FILING

Date

By



Revised 9/5/95

Petition for Special Hearing

37 Seaford Avenue
Baltimore, Maryland 21221

The undersigned, contract purchaser/petitioner, with knowledge and approval from the seller/legal owner of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petitions for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve the use of 37 Seaford Avenue, Baltimore, Maryland 21221 as a convent for five (5) nuns of Our Lady of Mt. Carmel parish.

This petition for a Special Hearing requests a clarification and interpretation of a Baltimore County Zoning Regulation. The above property is located in a D.R. zoning district, which permits single family dwellings. The regulations define "family" as "[a]ny number of individuals lawfully living together as a single housekeeping unit and doing their cooking on the premises, as distinguished from a group occupying a boarding or rooming house...." A boarding or rooming house is defined as a building "which is not the owner's residence and which is occupied in its entirety by three or more adult persons not related by blood, marriage or adoption to each other." ^{that}

Although the nuns are unrelated, we believe they nonetheless constitute a family. Because the nuns of Our Lady of Mt. Carmel would eat their meals together, keep house together, and function in every respect like a family, we believe our proposed use of 37 Seaford Avenue as a convent should be interpreted under the zoning regulations as a "family" living arrangement rather than as a "boarding or rooming house."

In the alternative, we request approval of our proposed use of 37 Seaford Avenue as a convent pursuant to Section 1B01.1 of the Baltimore County Zoning Regulations. This section expressly permits "Churches, other buildings for religious worship or other religious institutions" in D.R. Zones of all classifications. Traditionally, nuns associated with a particular parish reside together in convents, usually on the parish grounds. These convents are used in connection with the operation of the Church and, as such, are permitted. Convents not situated on parish grounds are nonetheless used in connection with the operation of the Church and should likewise be permitted.

Finally, we ask the Zoning Commissioner to affirm that moving Our Lady of Mt. Carmel's convent to 37 Seaford Avenue will not change the current use of the property and that current area requirements will not apply.

CORDER RECEIVED FOR FILING

Date

85041 PTW
000100-0077

249

Description

To Accompany Petition for Special Hearing and Zoning Variance

0.12 Acre Parcel, Teresa Waldron Property

Southwest Side of Seaford Avenue, Southeast of James Street

Fifteenth Election District, Baltimore County, Maryland



Daft McCune Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

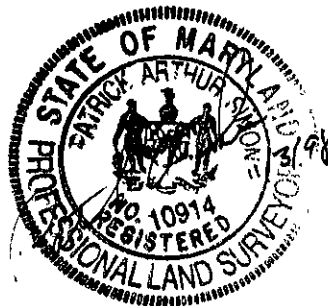
A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

Beginning for the same on the southwest side of Seaford Avenue, 50 feet wide, at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline at James Street, 50 feet wide, with the centerline of Seaford Avenue (1) South 60 degrees 04 minutes East 55 feet, more or less, and thence (2) South 29 degrees 56 minutes West 25 feet, more or less, to the point of beginning, thence leaving said beginning point and binding on said southwest side of Seaford Avenue (1) South 60 degrees 04 minutes East 50 feet, thence leaving said southwest side of Seaford Avenue and running the three following courses and distances, viz: (2) South 29 degrees 56 minutes West 101 feet, thence (3) North 60 degrees 04 minutes West 50 feet, and thence (4) North 29 degrees 56 minutes East 101 feet to the point of beginning; containing 0.12 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES
ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

November 3, 1998

Project No. 98162 (L98162)



249
99-249-SPH

No. 062407

AMOUNT \$

FOR:

WHITE • CASHIER

PINK • AGENCY

YELLOW - CUSTOMER

1. Name of the person: _____
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 3. City: _____
 4. State: _____
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PROCESS	ACTUAL	TIME
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12/17/1998 13/16/1998 14/18/1998

REF: 0501 CASHIER CLUM CML, PEARL

5 MISCELLANEOUS PAGE 13 OF 19

Re: 01/11/11 082002

CR NO. 062407

SUBJECT:

Baltimore County, Maryland

CASHIER'S VALIDATION

Attn Patrick Walsh
from Karen Weber - OLME

70174



December 28 19 98

WE HEREBY CERTIFY, that the annexed advertisement of
Our Lady of Mount Carmel
Rev. Robert L. Hartnett
Cost 99-249-SPH

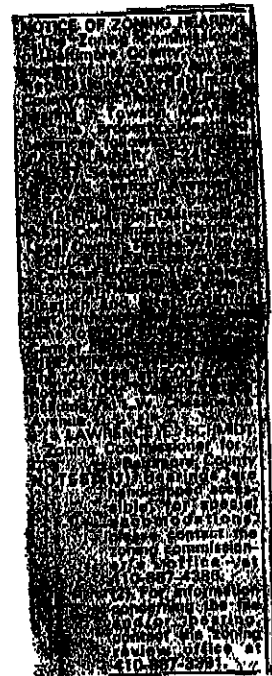
was published in "THE BALTIMORE SUN" a daily newspaper printed
and published in the City of Baltimore 12/26/98

The Baltimore Sun Company,

7122

By

L. Fisher



CERTIFICATE OF POSTING

RE: Case No.: 99-249 SPH

Petitioner/Developer: _____

Our Lady of Mount Carmel Catholic Church

Date of Hearing/Closing: 1/12/98

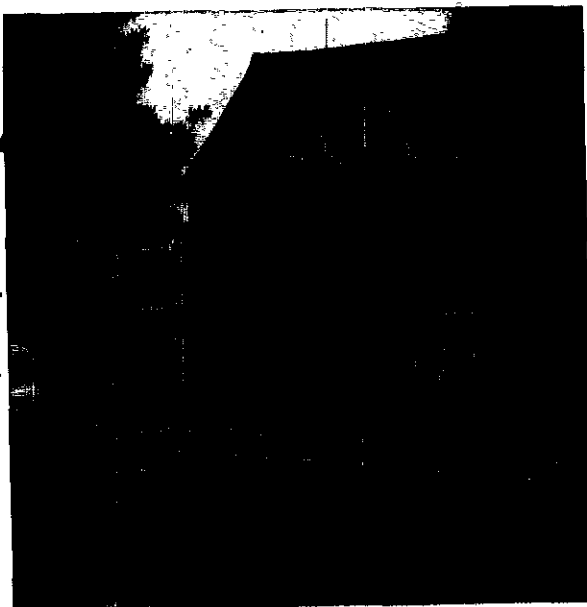
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 37 Seaford Avenue

The sign(s) were posted on Monday December 21, 1998
(Month, Day, Year)



Sincerely,

Edmund F. Haile

(Signature of Sign Poster and Date)

Edmund F. Haile

(Printed Name)

200 East Pennsylvania Avenue

(Address)

Towson, MD 21286

(City, State, Zip Code)

410-296-3333

(Telephone Number)



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

December 18, 1998

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-249-SPH
37 Seaford Avenue
SW/S Seaford Avenue, 50' SE of James Street
15th Election District – 5th Councilmanic District
Legal Owner: Teresa Waldron
Contract Purchaser: Cardinal William H. Keeler

Special Hearing for a clarification and interpretation that, although unrelated, the nuns of Our Lady of Mt. Carmel constitute a family.

HEARING: Tuesday, January 12, 1999 at 2:00 p.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

c: Thomas Biddison, Jr./Patrick Welsh, II, Esquires
Teresa Waldron
Cardinal William H. Keeler

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY DECEMBER 28, 1998.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



TO: PATUXENT PUBLISHING COMPANY
December 24, 1998 Issue – Jeffersonian

12/18 - FAXed
to Jeff.
12/23 - Jeff. called;
Never Got

Please forward billing to:

Patrick T. Welsh, II, Esquire
Gallagher, Evelius & Jones, LLP
218 North Charles Street
Suite 400
Baltimore, MD 21201

410-727-7702

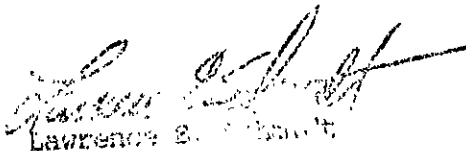
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HEARING: Tuesday, January 12, 1999 at 2:00 p.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue



Lawrence E. Schmidt

54
LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 249.

Petitioner: Cardinal William H. Keeler, Roman Catholic
Archbishop of Baltimore, a corporation sole

Location: 37 Seaford Avenue, Baltimore, MD 21221

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Patrick T. Welsh, II, Esquire

ADDRESS: Gallagher, Evelius & Jones, LLP
218 N. Charles Street, Suite 400
Baltimore, MD 21201

PHONE NUMBER: 410/727-7702

AJ:ggs

(Revised 09/24/96)

99-249-SPH

249

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than 12 27 98

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 99-249-SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: TO AFFIRM THAT A CONCEPT IS A 'FAMILY' LIVING UNIT.
THAT WILL NOT CHANGE THE CURRENT USE OF
THE SUBJECT PROPERTY

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

99-249-SPH

99-249-SPH



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

January 11, 1999

Thomas N. Biddison, Jr, Esq. and Patrick T. Welsh, II, Esq.
Gallagher, Evelius & Jones, LLP
218 N. Charles Street, Suite 400
Baltimore, MD 21201

RE: Item No.: 249
Case No.: 99-249-SPH
Location: 37 Seaford Avenue

Dear Sirs:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on December 16, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in cursive script, reading "W. Carl Richards, Jr.", followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us




B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: December 29, 1998

FROM:  Robert W. Bowling, Supervisor
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for December 28, 1998
 Item Nos. 246, 247, 248, 249 250,
 253, and 254

 The Bureau of Developer's Plans Review has reviewed the subject
zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE1228.NOC

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: -----

FROM: R. Bruce Seeley, Project Manager
Development Coordination
DEPRM

SUBJECT: Zoning Advisory Committee

Distribution Meeting Date:

The Department of Environmental Protection and Resource Management has
no comments for the following Zoning Advisory Committee Items:

Item #'s: 246
247
(249)
250
251
253
254



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

December 31, 1998

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: TERESA WALDRON

Location: DISTRIBUTION MEETING OF December 28, 1998

Item No.: 249 Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

****THIS INTERPRETATION DOES NOT MEET THE DEFINITION OF FAMILY
AS UTILIZED WITHIN THE FIRE CODE.**

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



sem
1/12

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: January 11, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 37 Seaford Avenue

INFORMATION:

Item Number: 249

Petitioner: Cardinal William H. Keeler, Roman Catholic Archbishop of
Baltimore, a corporation sole

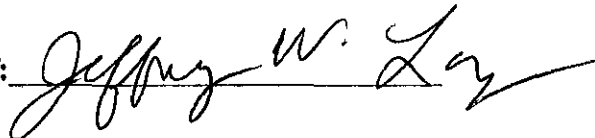
Zoning: DR 5.5

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

Based upon the information provided and analysis conducted, the Office of Planning supports the applicant's request.

Section Chief:



AFK/JL:



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Date: 12.28.31 JRA

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 249 JRA

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING
37 Seaford Avenue, SW/S Seaford Ave, 50' SE of
James St, 15th Election District, 5th Councilmanic


Legal Owners: Teresa Waldron
Contract Purchaser: Cardinal Wm. H. Keeler,
Roman Catholic Archbishop of Baltimore,
a corporation sole
Petitioner(s)


* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-249-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of December, 1998, a copy of the foregoing Entry of Appearance was mailed to Thomas N. Biddison, Jr. Esq., Gallagher, Evelius & Jones, 218 N. Charles Street, Baltimore, MD 21201, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

December 23, 1998

Patrick T. Welsh, II, Esquire
Gallagher, Evelius & Jones, LLP
218 North Charles Street
Suite 400
Baltimore, MD 21201

Dear Mr. Welsh:

RE: Zoning Case 99-249-SPH, 37 Seaford Avenue

As per our telephone conversation today, it is my understanding that you will take the responsibility of advertising the above referenced case in the newspaper. In order to retain the early hearing date of January 12, the advertisement needs to be in the newspaper by December 28, the same date as the posting of the sign.

As soon as you receive the certificate of publication from the newspaper, please forward it to this office so that it may be placed in the hearing file.

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

A handwritten signature in black ink that reads "Sophia C. Jennings". The signature is fluid and cursive.
Sophia C. Jennings

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

RICHARD O. BERNDT
THOMAS N. BIDDISON, JR.
ROBERT R. KERN, JR.
SAUL E. GILSTEIN
THOMAS B. LEWIS
SONNIE A. TRAVIESO
STEPHEN A. GOLDBERG
LINDA H. JONES
JACK C. TRANTER
LESLIE B. SPEED*
CHRISTOPHER J. FRITZ
DAVID E. RADERMAN
PETER E. KEITH
NITA L. SCHULTZ
MICHAEL W. SKOJEC
KATHRYN KELLEY HOSKINS
MARK P. KEENER
KEVIN J. DAVIDSON
EILEEN M. LUNGA
LORI A. NICOLLE
KENNETH S. GROSS
THOMAS C. DAME
VALARIE K. OULDS
MARGARET STEVENS JACKS
MATTHEW W. OAKLEY
REBECCA A. WEAVER
MICHAEL J. HENIGAN
DAVID W. KINKOPF
LATONYA B. DARGAN
PAUL S. CAIOLA
PATRICK T. WELSH, II

LAW OFFICES

GALLAGHER, EVELIUS & JONES, LLP

PARK CHARLES
SUITE 400
218 NORTH CHARLES STREET
BALTIMORE, MD 21201

TELEPHONE (410) 727-7702
TELECOPIER (410) 837-3079
TELECOPIER (410) 837-3085

*ADMITTED IN COLORADO ONLY

January 4, 1999

Ms. Sophia C. Jennings
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Zoning Case 99-249-SPH
37 Seaford Avenue

Dear Ms. Jennings:

As you requested, enclosed please find a copy of the certificate of publication from The Baltimore Sun evidencing the advertising of the above-referenced case in the newspaper. Please note that the newspaper published the notification on December 26, 1998.

If you have any questions, please give me a call.

Very truly yours,


Patrick T. Welsh, II

Enclosure

cc: Rev. Richard W. Woy
Mr. Joseph Spadaro
Rev. Robert L. Hartnett
Mr. Louis F. Baird
Robert R. Kern, Jr., Esquire

RICHARD O. BERNDT
THOMAS N. BIDDISON, JR.
ROBERT R. KERN, JR.
SAUL E. GILSTEIN
THOMAS B. LEWIS
BONNIE A. TRAVIESO
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LATONYA B. DARGAN
PAUL S. CAIOLA
PATRICK T. WELSH, II

LAW OFFICES
GALLAGHER, EVELIUS & JONES, LLP

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BALTIMORE, MD 21201

TELEPHONE (410) 727-7702
TELECOPIER (410) 837-3079
TELECOPIER (410) 837-3085

12/17/98 To Soph
WCR

*ADMITTED IN COLORADO ONLY

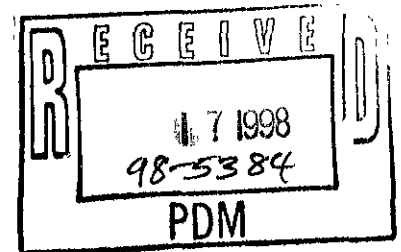
December 17, 1998

DELIVERY

Mr. Arnold Jablon
Director, Permits & Development Management
County Office Building
111 W. Chesapeake Ave.
Towson, MD 21204

Re: #99-249-SPH
37 Seaford Avenue
Baltimore, MD 21221

Dear Mr. Jablon:



Our office represents the Roman Catholic Archdiocese of Baltimore and its parishes, including Our Lady of Mt. Carmel. I am writing you on behalf of Cardinal Keeler to request an expedited hearing for our petition in the above-referenced matter. Our Lady of Mt. Carmel parish is interested in the purchase of the above-referenced property to serve as the convent for their five (5) nuns. The existing convent is very large and when originally constructed, could accommodate more than twenty (20) nuns. There are only five (5) nuns who live there now, and the building is underutilized. If the above-referenced house is purchased, the existing convent could be used to meet other pressing religious and educational space needs of the parish.

The property on Seaford Avenue is an ideal location for the convent since it is adjacent to the parish grounds and has five (5) bedrooms, which can comfortably accommodate the remaining nuns. There are virtually no other houses in the immediate

99-249-SPH

GALLAGHER, EVELIUS & JONES, LLP

Mr. Arnold Jablon

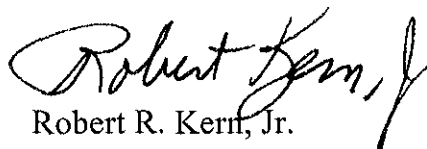
December 17, 1998

Page 2

area that have five (5) bedrooms. Our contract of sale, however, is contingent upon receiving a determination from Baltimore County that the proposed use will be in compliance with the zoning regulations. Since there have been numerous delays thus far in purchasing the property and settlement is to occur on January 15, 1999, it would be an undue hardship for the church if the settlement were delayed any longer or, in the alternative, the seller terminated the contract. We therefore request that our petition be heard prior to January 15, 1999 so that we may proceed with a timely settlement.

Your help with this matter would be greatly appreciated by the Cardinal and the parish. If you have any questions, please give me a call.

Very truly yours,


Robert R. Kern, Jr.

cc: Rev. Richard W. Woy
Rev. Robert L. Hartnett
Mr. Louis F. Baird
Mr. Joseph Spadaro
Mr. Edmund F. Haile — *Done*

PETITIONERS

~~PROTESTANT~~ (S) SIGN-IN SHEET

PLEASE PRINT CLEARLY

NAME

ADDRESS

Ed Haile

Daft McCune Walker

200 E. Penna Ave.

21286

Thomas N. Belderson, I

Gallagher Frelinghuysen

Patrick Welsh

218 North Charles Street

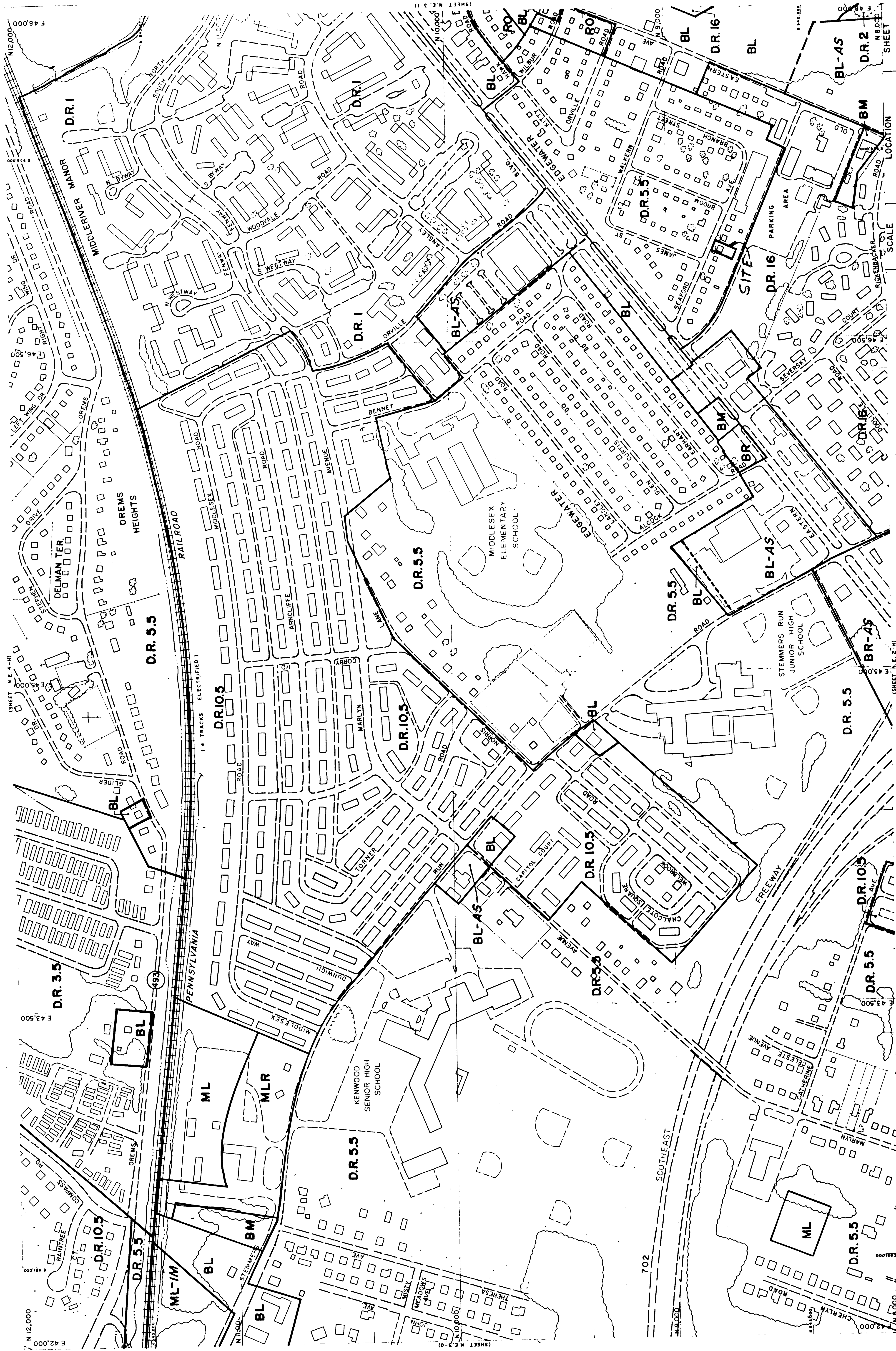
Baltimore, Maryland, 21201

Robert J. Hartnett

1714 Old Eastern Ave. Balt. Md. 21221



NE 34
1976
Zoning



1" = 200' ±

DATE OF PHOTOGRAPHY
JANUARY 1986

STEMMERS RUN
AERO ACRES

19% COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
ON OCTOBER 8, 1986
Bills Nos. 125-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

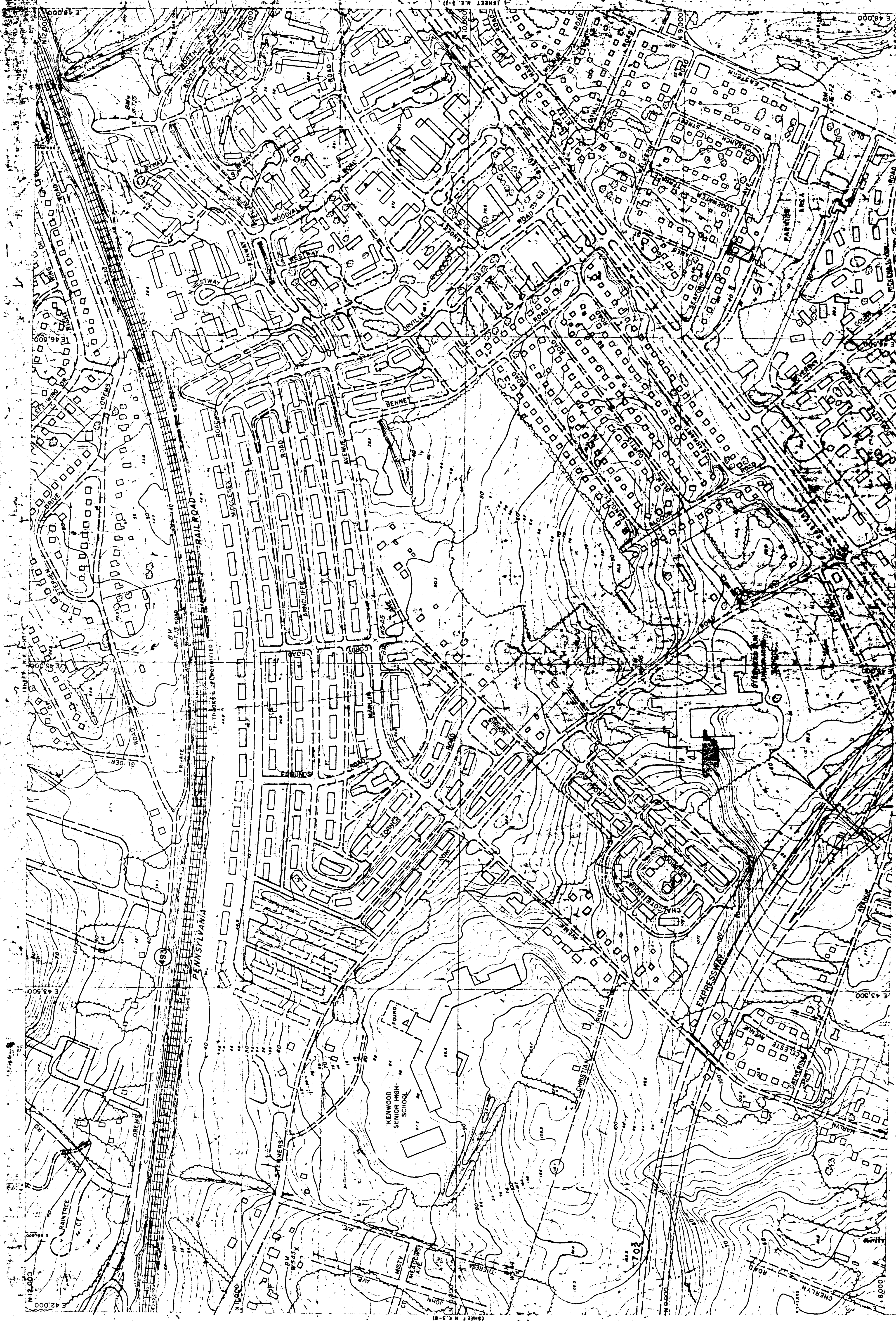
Kevin Kaneney
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

1 - SW 1 - SE
1 - NW 1 - NE

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

99-249-SPH 249



1-SW 1-SE E-NW 1-NE		PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA		DATE OF PHOTOGRAPHY DEC 1954		LOCATION STEMMERS RUN AERO ACRES		SHEET N.E. 3-1	
REVISIONS		BY DATE		SCALE 1" = 200'		PROJECT NO.		SHEET NO.	
1		JES		12/1/54		100-249-SPH		1	
Photography Compiled By: Photogrammetric Unit AERIAL SURVEY CORP. LANSING, MICH.									

100-249-SPH